Prince Edward Island
Office of the Attorney General

Annual Report

For the Fiscal Year
April 1, 2000 to March 31, 2001

Message of the Attorney General

The Honourable J. Léonce Bernard
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit herewith the
Annual Report of the Office of the Attorney General
for the fiscal year ended March 31, 2001.

Respectfully submitted,

Jeffrey E. Lantz
Attorney General

104-02170/

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Deputy Attorney General's Overview
Tour d'horizon de la sous-ministre

The Honourable Jeffrey E. Lantz
Attorney General
Province of Prince Edward Island

Honourable Minister:

I have the honour to submit to you the 2000-2001 Annual Report for the Office of the Attorney General. As you know, Ronald H. MacMillan, Q.C., served as Deputy Attorney General during the 2000-2001 fiscal year.

The purpose of this report is to serve as an accountability and information document for the department. It acts as a historical account providing consistent information over extended periods of time while offering an opportunity to promote the goals and activities of the department. These guidelines are outlined in Section 10.01 of the *Financial Administration Act.*

It is my pleasure to highlight some of the accomplishments of the Office of the Attorney General:

- The Office of the Attorney General entered a five-year, cost-sharing agreement for Young Offender programs with Justice Canada.
- The department undertook the creation of Aboriginal Caseworker, Planning Officer, Clinical Intern and Clinical Services Manager positions through position conversion.
- Planning continued for the development of a Family Law Section within the department.
- The Provincial Strategy on Impaired Driving, announced initially in 1995, was renewed.

Monsieur Jeffrey E. Lantz
Procureur général
Province de l'Île-du-Prince-Édouard

Monsieur le ministre,

J'ai l'honneur de vous soumettre le rapport annuel de 2000-2001 du Bureau du procureur général. Comme vous le savez, Ron MacMillan a assumé le poste de sous-procureur général durant l'exercice financier 2000-2001.

Le but du présent rapport est de servir de document d'information et de responsabilité pour le ministère. Il agit comme un compte rendu historique et fournit des renseignements homogènes sur des périodes étendues tout en donnant l'occasion de promouvoir les objectifs et activités du ministère. Ces lignes directrices sont prévues à l'article 10.01 de la *Financial Administration Act (Loi sur l'administration financière).*

J'ai le plaisir de souligner certaines des réalisations du Bureau du procureur général :

- Le Bureau du procureur général a conclu une entente quinquennale à frais partagés visant des programmes pour jeunes contrevenants avec le ministère fédéral de la Justice.
- Le Bureau a créé les postes suivants grâce à une conversion de postes : agent de cas autochtones, agent de planification, stagiaire clinique et gestionnaire des services cliniques.
- La planification s'est poursuivie en vue de la création d'une section du droit de la famille au sein Bureau du procureur général.
- La Stratégie provinciale sur la conduite en état d'ébriété, annoncée initialement en 1995, a été renouvelée.

- During the year, participation continued in support of the National Crime Prevention Strategy, particularly in the Joint Management Committee process related to the Community Mobilization Program.
- Steps have been taken to review and update the Provincial Crime Prevention Strategy which was first announced in 1995.
- Provincial Statutes are now accessible on the government Web site.

The department is committed to assisting Islanders through the provision of effective services. Priorities for the coming year include continued work on the planning of a new Family Law Section within the department, the selection of a site for a new court house in Summerside, the release of an updated Crime Prevention Strategy and continued promotion and educational campaigns to assist Islanders in accessing the legal and judicial system.

I would like to recognize and thank the employees of the Office of the Attorney General for their hard work and dedication throughout the fiscal year and their continued contributions toward enhanced services for Islanders.

Respectfully submitted,

- Au cours de l'année, notre participation s'est poursuivie à l'appui de la Stratégie nationale sur la sécurité communautaire et la prévention du crime, en particulier en ce qui a trait au Comité de gestion mixte du Programme de mobilisation des collectivités.
- Des étapes ont été franchies afin de revoir et mettre à jour la Stratégie provinciale sur la prévention du crime annoncée initialement en 1995.
- Les lois provinciales sont maintenant disponibles dans le site Web du gouvernement.

Le Bureau s'est engagé à aider la population de l'Île en leur offrant des services efficaces. Parmi les priorités établies pour l'année à venir, mentionnons la planification continue en vue de la création d'une section du droit de la famille au sein du Bureau du procureur général et d'un palais de justice à Summerside; la diffusion d'une stratégie à jour sur la prévention du crime et l'organisation de campagnes continues d'éducation et de promotion pour aider les gens de l'Île à travailler avec les systèmes juridique et judiciaire.

Je voudrais reconnaître et remercier les employés du Bureau du procureur général pour leur travail assidu et leur dévouement pendant cet exercice financier et pour leurs contributions continues à l'amélioration des services offerts à la population de l'Île.

Le tout respectueusement soumis,

Shauna Sullivan Curley
Deputy Attorney General
Sous-procureure générale

Executive Summary

The year 2000-2001 has been one of change for the Office of the Attorney General. In April 2000, the Department of Community Services and Attorney General was split into two separate portfolios creating the Department of Community and Cultural Affairs and the Office of the Attorney General. The Policy and Administration Division of the newly created Department of Community and Cultural Affairs also maintained responsibility for the financial, human resources and communications activities of the Office of the Attorney General (OAG).

The legal and judicial systems have been experiencing changes for many years which are reflected in this report. The OAG remains committed to upholding the laws of the province, working to ensure a fair and unbiased judicial system and offering programs and services to assist Islanders when it is necessary for them to access the judicial system. The OAG is also committed to improving services, especially for families, and continues to adopt a more child-focused approach to service delivery in the area of family law.

The OAG is comprised of five divisions:

- Community and Correctional Services;
- Consumer, Corporate and Insurance Services;
- Crown Attorneys;
- Legal and Judicial Services; and
- Justice and Corrections.

As mentioned above, the Policy and Administration Division is shared with the Department of Community and Cultural Affairs. This division's report is reflected in the Annual Report for the Department of Community and Cultural Affairs. Following is a summary description of the main functions within each division. The department's organizational chart is attached as Schedule 2.

Community and Correctional Services Division

Enhances public safety by providing institutional facilities as well as rehabilitative and reintegrative programming to adult and young offenders.

Consumer, Corporate and Insurance Services Division

Registers and incorporates business enterprises, cooperatives and nonprofit organizations that are formed in the province, and registers all out-of-province companies carrying on business in the province. Selected business enterprises such as insurance companies, securities issuers, real estate firms, credit unions and other financial institutions in the province are regulated.

Crown Attorneys Division

Represents the Attorney General and deals with all offences under the Criminal Code and provincial statutes.

Justice and Corrections

Provides advice, assists with planning and program development, coordinates policy development, promotes new initiatives and leads intergovernmental discussions in selected justice and corrections matters.

Legal and Judicial Services Division

Maintains the administrative structure for court services and public legal aid and provides legal services to government.

Policy and Administration Division

This division administers the department's personnel and financial affairs, develops policy initiatives and manages specialized programs. This division is now a shared resource group which serves both the Department of Community and Cultural Affairs and the Office of the Attorney General.

Highlights

The OAG accomplished much during the 2000-2001 fiscal year. Some of the highlights include:

- The Community and Correctional Services Division completed a client profile analysis.
- The Community and Correctional Services Division completed a human resource renewal plan.
- The Community and Correctional Services Division initiated an automated inventory control system and began forecasting long-term capital needs and maintenance requirements for its facilities across the province.
- Staff of the Consumer, Corporate and Insurance Services Division made presentations to several groups and educational institutions over the course of the year. Workshop presentations were made on frauds and scams for the PEI Senior Citizens' Federation, individual senior citizens' associations and a youth training session. Approximately 200 people attended these workshops.
- Justice and Corrections and the Justice Resource Service represented the OAG in the development of the Provincial Strategy on Healthy Childhood Development.
- The Provincial Strategy on Impaired Driving was renewed in an effort to prevent and respond to impaired driving and improve the safety of all Islanders.

The past year has been both challenging and rewarding for the staff of the Office of the Attorney General. In the year ahead, staff will continue a client-focused approach to improving service delivery and education.

The department plans to work on the following priority areas over the course of the next fiscal year.

- In partnership with Industry Canada and provincial and territorial governments across the country, the Consumer, Corporate and Insurance Services Division will assist in the launch of the Consumer Information Gateway. This is a unique Web site service which will link consumers with information and contacts across the country on a wide range of consumer topics.
- The department is in the process of reviewing its Web site content and looking for ways to improve the information flow between clients and the department.
- Through the Community and Correctional Services Division, the department will create strategies and engage in human resource planning to address special client populations.
- The department will continue to place emphasis on the creation of partnerships with federal government institutions, provincial and territorial governments and community groups on initiatives which will lead to improvements in the legal and judicial systems.
- The Community and Correctional Services Division will pursue the creation of a Clinical Services Section within the division. This new section will contribute to greater public safety that will result in partnerships that will enhance the rehabilitation of all offenders.
- The Legal and Judicial Services Division will proceed with the reorganization of services to create a Family Law Section within the division. This will lead to a more coordinated approach in the provision of services to families accessing the justice system. This section will also contribute to the creation of a more child-focused system.
- Victim Services will work to enhance its capacity to provide increased services to the

Francophone and Aboriginal communities across the province.

- The Legislative Counsel Office will hire a new Chief Legislative Counsel and seek more adequate space in order to continue to provide an efficient service to government.
- The department will continue to focus on initiatives which improve access to justice for all persons.
- The Legislative Counsel Office will continue to work on the addition of regulations to the government Web site.
- Justice and Corrections will continue to work on ways to increase the presence of Aboriginal people in the staffing, programs and services of the justice system in the province and to support the development of an Aboriginal Community Justice Program.
- Justice and Corrections will revise and update the Provincial Crime Prevention Strategy. This strategy will set out a provincial framework, principles and priorities and a content for crime prevention initiatives.
- With the cooperation of courthouse administrators, Victim Services plans to furnish a child-witness waiting room in the Law Courts building in Charlottetown.
- Justice and Corrections will continue to coordinate efforts toward a Provincial Policy Framework for Alternative Dispute Resolution Approaches and Restorative Justice Practices.

Résumé

L'année 2000 - 2001 a été marquée par le changement au Bureau du procureur général (BPG). En avril 2000, le ministère des Services communautaires et du procureur général a été divisé en deux portefeuilles séparés se partageant un sous-ministre unique. La responsabilité des activités de communication et des ressources humaines et financières du BPG a été confiée à la Division des politiques et de l'administration du nouveau ministère des Affaires communautaires et culturelles.

Depuis quelques années, les systèmes juridique et judiciaire sont l'objet de changements et ceux-ci sont reflétés dans le présent rapport. Le BPG demeure résolu à faire respecter les lois de la province, à veiller au maintien d'un système judiciaire juste et impartial et à offrir des programmes et services pour aider la population de l'Île dans ses rapports avec le système judiciaire. Le BPG s'est également engagé à améliorer les services, surtout aux familles, et continue d'adopter une approche plus centrée sur les enfants pour la prestation des services.

Le BPG comprend cinq divisions : Services communautaires et correctionnels; Consommation, corporations et assurances; Procureurs de la couronne; Services juridiques et judiciaires et enfin, Politiques judiciaires et correctionnelles. Comme il est mentionné ci-dessus, le BPG partage la Division des politiques et de l'administration avec le ministère des Affaires communautaires et culturelles et le rapport de cette division fait maintenant partie du rapport annuel de ce ministère. Voici un aperçu des principales fonctions de chaque division. L'organigramme du Ministère figure également à l'annexe 2.

Services communautaires et correctionnels

Cette division travaille à l'amélioration de la sécurité publique en administrant des établissements de détention ainsi que des programmes de réadaptation et de réintégration aux contrevenants, jeunes et adultes.

Consommation, corporations et assurances

Cette division s'occupe de l'enregistrement et de la constitution en société des entreprises commerciales, des coopératives et des organismes sans but lucratif formés dans la province. Elle enregistre également toutes les entreprises de l'extérieur qui font des affaires à l'Île. Certaines entreprises commerciales comme les compagnies d'assurance, les émetteurs de valeurs et titres, les sociétés immobilières, les coopératives de crédit et d'autres établissements financiers de la province sont réglementées.

Procureurs de la couronne

Les procureurs de la couronne représentent le Procureur général et s'occupent de toutes les infractions prévues au Code criminel et aux lois de la province.

Politiques judiciaires et correctionnelles

Cette division offre des conseils et une aide en planification et en développement de programmes, coordonne l'élaboration des politiques, fait la promotion des nouvelles initiatives et dirige des discussions intergouvernementales sur des dossiers précis de justice et de correction.

Services juridiques et judiciaires

Cette division assure la structure administrative pour les services aux tribunaux et l'aide juridique au public et offre des services juridiques au gouvernement.

Politiques et administration

Lorsque l'ancien ministère des Services communautaires et du procureur général a été divisé en deux ministères séparés, la Division des politiques et de l'administration du nouveau ministère des Affaires communautaires et culturelles a conservé la responsabilité des fonctions administratives du Bureau du procureur général, y compris les services financiers, la gestion des ressources humaines et les activités de communication et de technologie de l'information.

Faits saillants

L'exercice financier 2000-2001 a été fructueux au BPG. Voici les faits saillants :

- La Division des services communautaires et correctionnels a effectué une analyse du profil de la clientèle.
- La Division des services communautaires et correctionnels a parachevé un plan de renouvellement des ressources humaines.
- La Division des services communautaires et correctionnels a mis au point un système informatique de contrôle des stocks et a entrepris la préparation de prévisions des besoins d'immobilisations et d'entretien à long terme de ses installations dans la province.
- Le personnel de la Division de la consommation, des corporations et des assurances a présenté des exposés à plusieurs groupes et établissements d'enseignement au cours de l'année. Des ateliers sur la fraude et les escroqueries ont été présentés à la Fédération des personnes âgées (Seniors Federation) et à des associations de personnes âgées en plus d'une séance de formation des jeunes. Quelque 200 personnes ont assisté à ces ateliers.
- La Division des politiques judiciaires et correctionnelles et le Service des ressources judiciaires ont représenté le BPG pour l'élaboration de la Stratégie provinciale sur le développement sain de l'enfant.
- La Stratégie provinciale sur la conduite en état d'ébriété a été renouvelée. Elle vise à prévenir la conduite en état d'ébriété et à donner suite aux infractions ainsi qu'à améliorer la sécurité de tous les résidants de l'Île.

L'année qui vient de s'écouler a été à la fois enrichissante et remplie de défis pour le personnel du BPG. Durant l'année à venir, le personnel entend continuer son approche centrée sur la clientèle dans le but d'améliorer les services offerts et l'éducation. Voici les priorités sur lesquelles le BPG prévoit se concentrer au cours du prochain exercice financier :

- En collaboration avec Industrie Canada et les gouvernements provinciaux et territoriaux du pays, la Division de la consommation, des corporations et des assurances collaborera au lancement de la Passerelle d'information pour le consommateur canadien. Ce site Web unique reliera les consommateurs à toutes sortes de sources d'information et de ressources pour les consommateurs au Canada.
- Le BPG a entrepris la révision du contenu de son site Web et cherche des moyens d'améliorer la communication de l'information entre les clients et le ministère.
- Par l'entremise de la Division des services communautaires et correctionnels, le BPG entend créer des stratégies et procéder à une

planification des ressources humaines touchant les clientèles particulières.

- Le BPG continuera à mettre l'accent sur la création de partenariats avec différents établissements du gouvernement fédéral, les gouvernements provinciaux et territoriaux et les groupes communautaires afin de favoriser les initiatives ayant pour but d'améliorer les systèmes juridique et judiciaire.
- La Division des services communautaires et correctionnels continuera à travailler à la création d'une section des services cliniques au sein de la division. Cette nouvelle section contribuera à accroître la sécurité du public et favorisera la création de partenariats visant à améliorer la réadaptation de tous les contrevenants.
- La Division des services juridiques et judiciaires prévoit réorganiser ses services afin de créer une section de droit de la famille au sein de la division. Elle pourra ainsi améliorer l'efficacité et l'efficience des services qu'elle offre aux familles ayant des rapports avec le système judiciaire. Cette section contribuera également à la création d'un système davantage centré sur les enfants.
- Dans le domaine des services aux victimes, des efforts vont être déployés afin d'offrir davantage de services aux communautés autochtones et francophones de la province.
- Le Bureau du conseiller législatif embauchera un nouveau conseiller législatif en chef et poursuivra ses efforts afin de trouver un espace plus adéquat pour continuer à fournir un service efficace au gouvernement.
- Le BPG continuera à mettre l'accent sur les initiatives qui améliorent l'accès à la justice pour toutes les personnes.
- Le Bureau du conseiller législatif continuera à travailler à l'ajout de règlements au site Web du gouvernement.
- La Division des politiques judiciaires et correctionnelles continuera à déployer des efforts afin de trouver des moyens d'accroître la présence d'autochtones au sein du personnel, des programmes et des services du système judiciaire de la province et d'appuyer la création d'un programme pour les communautés autochtones.
- La Division des politiques judiciaires et correctionnelles révisera et mettra à jour la Stratégie provinciale de prévention du crime. Cette stratégie établira un cadre, des principes et des priorités pour la province ainsi que de l'information sur les initiatives de prévention du crime.
- Avec la collaboration des administrateurs de palais de justice, la Section des services aux victimes planifie d'aménager une salle d'attente pour les enfants témoins dans le palais de justice à Charlottetown.
- La Division des politiques judiciaires et correctionnelles continuera à coordonner les efforts en vue de l'établissement d'un cadre de politique provincial sur les méthodes substitutives de règlement des conflits et les pratiques de travail restrictives.

Community and Correctional Services Division

Director: John R. Picketts

Mandate

The Community and Correctional Services Division is an essential part of the criminal justice system mandated to enhance public safety by contributing to the rehabilitation of youth and adult offenders. The division delivers a variety of programs through three sections: Victim Services, Community Services and Correctional Services. The division also contributes to public education, crime prevention, research, policy and program development.

Highlights and Initiatives

In 2000-2001 fiscal year, the division completed the following initiatives:

- Completed a client profile analysis (Youth and Adult)
- Developed a Human Resource/Renewal Plan
- Completed an inventory of security equipment
- Implemented special projects through funding from Justice Canada in the areas of Victim Services and Young Offender services
- Entered into a five-year cost-sharing agreement for Young Offender programs with Justice Canada
- Created Aboriginal Case Worker, Planning Officer, Clinical Intern and Clinical Services Manager positions through position conversion
- Formed ongoing Labor Management Training, Program Development, and Female Offender committees
- Began statistical analysis of Conditional Supervision Orders and Supervision Standards
- Initiated automated inventory control system and began forecasting long-term capital needs/depreciation and maintenance requirements

Priorities in 2001-2002 include

- Policy development
- Creation of provincial plan for implementation of *Youth Criminal Justice Act*
- Creation of strategies and human resource planning to address special client populations (i.e., female offenders, conditional sentences, federal transfers, offenders presenting chronic substance abuse and mental health issues)
- Enhanced capacity to provide Victim Services to Aboriginal and Francophone communities
- Continued interagency partnerships/ response capacity respecting family violence
- Creation of Clinical Services section within the division
- In June 2002, Community and Correctional Services will host the National Heads of Corrections meeting.

In order to strategically position itself for the future, the Community and Correctional Services Division will develop a policy framework and model for "best practice." The goal is to ensure a balanced and predictable response to changing social conditions and legislative mandates.

Correctional Services Section

Correctional Services is comprised of five institutions: two adult facilities (Provincial Correctional Centre, Prince Correctional Centre), and three youth facilities (Tyne Valley Youth Centre, Georgetown Youth Centre and Prince Edward Island Youth Centre, Summerside).

The primary functions are: sentence administration, remand, lock up, court support, and open and secure custody. The combined bed capacity is 166.

Internal programs include: academic, workshop, addictions, life skills, employment preparation, anger management, community service, family awareness programs and recreation.

All facilities are available to the community for meetings, recreation, training and educational tours.

Section Summary

Client demand remained relatively constant throughout the fiscal year. Individual clients continue to present high-risk behaviour that requires a consistent level of psychiatric intervention.

The female population continues to remain high posing many challenges due to the specialized needs of this client group.

Outstanding challenges for 2001-2002 include capital expenditures for adult facilities; preparing staff for the implementation of the new *Youth Criminal Justice Act*; policy and procedure review and revision; recruitment and retention for specialized positions; and continued focus/emphasis on the findings of the organizational survey, human resource analysis and identified divisional priorities.

Adult Custody Programs

Highlights and Initiatives (Adult)

1. An Aboriginal Case Worker was hired as part of a joint pilot project between Community and Correctional Services and the Public Service Commission's employment equity program.
2. An Interagency Planning Committee was established to address housing, staffing, and programming issues for female inmates.
3. Correctional Officers attended the Canadian Police and Peace Officers' Memorial Service in Ottawa, co-sponsored by the department and Union of Public Sector Employees.
4. A variety of community service projects were completed by inmates and supervised by Provincial Correctional Centre staff.
5. There is an ongoing need for predictable and increased correctional psychiatric and mental health support for adult offenders.
6. A provincial/federal corrections and addictions committee was struck to develop standard practices to facilitate client access to addictions services.

Special Events

- A fundraising golf tournament was hosted in memory of Terry Fox.
- Staff raised funds for Big Brothers, Big Sisters in the Bowl for Kids Sake.
- Correctional Centre tours were provided to a large volume of high school students.
- A Christmas church service was held at the Provincial Correctional Centre, coordinated by the Chaplaincy Committee.
- A Christmas party was held for inmates and their families at the Provincial Correctional Centre.

Table 1
Provincial Correctional Centre
Statistics for April 1, 2000 to March 31, 2001

	Admissions	Inmate Days
Sentenced		
Male	350	14,718
Female	56	1,072
Total Sentenced	**406**	**15,790**
Remand		
Male	106	4,010
Female	5	146
Total Remand	111	4,156
Total Sentenced and Remand	**517**	**19,946**
Lockup		
Adults – Male	1,047	1,434
Female	76	80
Total Adults	1,123	1,514
Young Offenders		
Male	44	44
Female	6	6
Total Young Offenders	50	50
Total Lockup	**1,173**	**1,564**
Total Admissions	1,690	
Total Inmate Days		21,510

Table 2
Prince Correctional Centre
Statistics for April 1, 2000 to March 31, 2001

	Admissions	Inmate Days
Sentenced		
Male	180	4,539
Female	0	0
Total Sentenced	**180**	**4,539**
Remand		
Male	65	319
Female	0	0
Total Remand	**65**	**319**
Total Sentenced and Remand	**245**	**4,858**
Lockup		
Male	516	528
Female	19	19
Total Lockup	**535**	**547**
Total Admissions	**780**	
Total Inmate Days		**5,405**

Table 3
Young Offender Custody Programs
Statistics for April 1, 2000 to March 31, 2001

	Secure	Georgetown Open	Tyne Valley Open
Admissions			
Sentenced	33	27	38
Remand	47		
Temporary Detention	96		
Place of Safety	5		
Total Admissions	**181**	**27**	**38**
Resident Days			
Secure	2938		
Georgetown	2108		
Tyne Valley	1816		
Total Resident Days	**6,862**		

Young Offender Custody Programs

Highlights and Initiatives

1. Staff participation on the Multi-Agency Services Team
2. Ongoing community service work projects across Prince Edward Island
3. Programs facilitated in local schools by centre staff
4. Provincial Camp initiatives
5. Volunteer promotion and recognition
6. Youth Worker participation in the Canadian Police and Peace Officers' Memorial Service in Ottawa
7. Development of a Staff Wellness Plan for individual facilities
8. Forest Hill Wildlife Management Project at Camp Woodduck
9. Education Audit was approved by Provincial Teachers Committee
10. An After-School Coordinator facilitated activities incorporating resident leadership as the main theme
11. Development of a new orientation package for students, volunteers, and casual and permanent youth worker staff
12. Revised Resident Manual and completed Infection Control Manual
13. Management, in consultation with Workers Compensation Board and Occupational Health and Safety, developed guidelines on an Easeback Philosophy
14. Improvements to communication and security equipment completed
15. In cooperation with Child, Family and Community Services, discharge follow-up support in specific cases

Special Events

- A Christmas craft activity which involved staff and residents was implemented.

- Centres and centre grounds continued to be utilized by various community groups and individuals.

Youth Justice Renewal

The ongoing challenge facing Young Offender Programs continues to be the proposed *Youth Criminal Justice Act*. Once proclaimed, a variety of new obligations for service and sentence administration will be placed upon the province. Service delivery models, program resource allocations, and organizational structures will be significantly impacted. Consistent with legislative change, federal policy objectives and revised federal/provincial cost-sharing agreements, the following initiatives were undertaken in 2000-2001:

- Literature review of Best Practice Models
- Preparation for Community Consultation
- Baseline Research:
  - Profile of chronic repeat offender
  - Review of multi-agency school support teams
  - Demographic analysis of PEI children
- Review of training materials and approaches in preparation for *Youth Criminal Justice Act* implementation
- Aboriginal Justice Pilot
- Transition from custody programs with:
  - partnership with school system
  - community support and follow-up
- Partnership with Eastern School District regarding dispute resolution conferences
- Statistical analysis of youth crime in PEI

Initiatives for the Upcoming Year

- Develop divisional Implementation Plan for Youth Justice Renewal Initiatives and implementation of *Youth Criminal Justice Act*
- Senior High School Support Worker Pilot – Interagency partnership to support and encourage youth to re-enter the school system from custody and to support youth on probation to remain in school
- Partnership with the police – Intake counselor to co-locate with police and conduct follow-up referrals with youth at risk
- Training Project – to develop, coordinate and deliver training for staff, as it relates to the *Youth Criminal Justice Act*

Community Services Section

General Overview

The Community Services Section is responsible for the planning, administration and delivery of the following community-based correctional programs and services:

- Probation Services (Adult and Young Offenders);
- Family Court Services;
- PEI Community Justice Resource Centre; and,
- the Alternative Residential Placement/Community Youth Worker Program.

As well, the section supports interagency initiatives and partnerships in early intervention, program development, crime prevention and/or community justice and restorative justice initiatives. Upon request, Community Services personnel support/assist in public education efforts on justice and community corrections matters.

There are currently 30.5 permanent, full-time Community Services staff working from offices situated across the province. Staff are involved in direct service delivery to clients, administrative support and/or program management/coordination functions. Staff resources are augmented by administrative support staff of other departments (Access PEI locations) and in program delivery by other provincial staff resources (i.e., other parts of the

division; Education; Mental Health; Child, Family and Community Services), as well as by volunteers, student placements and project staff who are welcomed and engaged on an ongoing basis.

Probation Services

Probation Services delivers the following province-wide, community-based correctional programs and support services to clients and the adult criminal and youth courts:

- case management and supervision of youth and adult probation orders;
- investigation and preparation of pre-sentence, predisposition and progress reports as requested by the courts;
- the development and management of Alternative Measures Agreements for youth and adult cases referred through Crown Counsel;
- supervision and management of adult Conditional Sentence Orders;
- processing and management of adult and youth cases under the provincial Fine Option Program; and
- ensuring appropriate action and follow-up in cases of default or non-compliance.

Probation officers utilize a psychosocial clinical assessment process to assess client needs and risk levels to determine and implement appropriate supervision, intervention and case management strategies. Clients are referred to a variety of community-based services, including individual or group treatment/education programs depending on assessed needs and specific requirements of the case (i.e., court orders). Such programs can include: alcohol and/or drug treatment programs; education programs; mental health services; anger management programs; life skills and employment preparation programs; parenting programs; the Turning Point Program; the Sexual Deviancy Assessment and Treatment Program; and a variety of other programs and services which address problems, and support the needs of a particular client and the conditions/ requirements of his/her sentence or disposition. Probation staff participate in or endorse a number of community-based initiatives or approaches (i.e., interagency case management, program development, community development, interagency committees, resolution of service delivery issues) at the individual case, program and system levels.

As of March 31, 2001, there were a total of 960 active cases under the supervision of Probation Services across PEI: 738 adult cases (77 per cent of active cases), and 222 young offender cases (23 per cent of active cases). A total of 332 Court Reports: 209 pre-sentence reports (63 per cent of all reports); and 123 predisposition reports (37 per cent of all reports) were completed and submitted to the courts across the province during the last fiscal year. **Table 4** (adult statistics) and **Table 5** (youth statistics) provide summaries of caseload and workload statistics for Probation Services during the past fiscal year.

Table 4
Probation Services
Caseloads/Workloads – Adult Offenders
Fiscal Year April 1, 2000 to March 31, 2001

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
Cases Under Supervision (Note - end of Quarter) (Incl. A/M, F/O, Cond/Sent and Probation)	765	713	722	738	Average caseload per quarter – 735
New Cases Opened (Incl A/M, F/O, Cond/Sent and Probation)	163	173	187	188	711
Court Reports	60	45	66	38	209
New Charges (breaches)	25	24	18	29	96
Probation Admissions	119	125	133	128	505
A/M Admissions	20	22	28	36	106
Conditional Sentence Order Admissions	11	13	15	10	49
Fine Options Admissions	13	13	14	11	51

Table 5
Probation Services
Caseloads/Workloads – Young Offenders
Fiscal Year April 1, 2000 to March 31, 2001

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
Cases Under Supervision (Note - end of quarter) (Incl. A/M, F/O, and Probation)	232	220	221	222	Average caseload per quarter – 224
New Cases Opened (Incl A/M, F/O, and Probation)	61	65	76	85	287
Court Reports	30	38	31	24	123
New Charges (breaches)	20	15	23	19	77
Probation Admissions	37	44	28	33	142
A/M Admissions	24	19	47	46	136
Fine Options Admissions	0	2	1	6	9

Highlights and Initiatives

1. Average daily caseloads under supervision, both adult and youth cases, showed a slight overall decrease (-1 per cent) during the past fiscal year in comparison to the year previous. This was as a result of 4 per cent fewer admissions (i.e., new cases) to community supervision during the year. While caseloads have shown a decrease in certain areas of the province, particularly in the Summerside office, Probation Officers are required to manage increasingly complex and demanding caseloads/workloads in terms of the problems presented, risk/need levels, legal requirements, etc.
2. Provincially, there was an overall decrease of 10 per cent in the number of court reports (i.e. pre-sentence and predisposition reports) prepared.
3. Probation Services experienced fewer staff changes this fiscal year compared to the year previous.
4. Probation Services commenced involvement in a national/international initiative that focuses on the use and enhancement of risk assessment instruments for sex offenders that are admitted to community supervision. The Dynamic Supervision Project, is a 30 month initiative under the leadership of the Department of Solicitor General Canada.
5. Working protocols for Probation Services were revised and further developed during the year to guide case management and interagency strategies in working with victims of domestic violence.

Family Court Services

Two Family Court Counsellors, one of whom functions as team leader, provide the following province-wide services:

- the preparation of court ordered reports (Home Studies) respecting custody and access of children for the PEI Supreme Court, Trial Division, Family Section;
- mediation services in family related matters (i.e., division of family property, child support, child custody and access); and
- referral of clients to required services including: Turning Point Program; Addiction Services; Child, Family and Community Services; Mental Health Services; Victim Services and parent education programs.

Family Court Counsellors provide educational and informational sessions to the public and to families on the effects of separation and divorce on children and separating parents. As well, Family Court Counsellors are involved in and support various professional organizations dealing with family and social casework related issues (i.e., Mediation PEI, PEI Social Work Association, Child Sexual Abuse Interagency Committee).

Work demands placed on Family Court Counsellors over the past fiscal year are outlined in the following table.

Table 6
Yearly Caseload Statistics
April 1, 2000 to March 31, 2001
Number of New Cases Opened

	Mediation	Counselling	Court Ordered Reports
April 1 to June 20	47	1	14
July 1 to September 20	40	1	10
October 1 to December 31	54	2	7
January 1 to March 31	48	1	12
Total	189	5	43

Highlights and Initiatives

1. Family Court Counsellors continued to experience increased demands for court reports (i.e., Home Studies) from the Family Court. There was an increase of 13 reports making the number of court reports completed 43.
2. Requests for Mediation Services increased during the year by 38 per cent.
3. Family Court Counsellors completed the development of protocols for working with woman abuse cases.
4. Family Court Counsellors had several opportunities to engage in specialized training and developmental activities over the past year.

PEI Community Justice Resource Centre

The PEI Community Justice Resource Centre has been in operation since March 1995, and has been providing the full range of its current services since January 1997. The staffing of the centre includes the following three full-time positions: Centre Coordinator, Turning Point Coordinator and Sexual Deviancy Specialist.

The centre is a province-wide resource which provides assessment and treatment (group and individual) to offenders and community members either upon request or referral. The target population of the centre's services is adult-aged individuals, who are referred from agencies across the province (i.e., Addiction Services; Child, Family and Community Services; Medical Services; Psychiatric/Mental Health Services; Probation and Custody Services), but they also accept direct self-referrals from adult Islanders. Adolescent assessment and treatment services within the centre are focussed on needs associated with sexual deviancy/sexual dysfunction.

Programs of the centre identify, assist, support and treat individuals experiencing significant personal difficulties associated with criminal behaviour as well as high-risk behaviour toward self or others. All of the centre's interventions are directed toward understanding and changing inappropriate or harmful behaviours, values, beliefs and attitudes. The overall focus of the centre in working with clients is the development of healthy and safe personal/family/ community relationships and lifestyles.

Trained facilitators from outside the division (employees of Addiction Services; Child, Family and Community Services; Mental Health Services) and divisional staff from Youth Custody and Adult Custody Services have provided facilitation within the centre's programs. All facilitators are trained by centre staff and are supervised by program personnel.

Table 7
PEI Community Justice Resource Centre
Programs Offered and Participant Numbers
Fiscal Year 2000-2001

Program Offered	Total Participants	Females	Males
Male/Female Anger Management Program (seven programs)	46	8	38
Turning Point Program (four groups: three in Charlottetown, one in Souris)	41	0	41
Personal Development and Change (two groups)	8	4	4
One-to-One Counselling/Intervention	64	6	58
Sexual Deviance Treatment (two groups)	16	0	16
Sex Offender Support Maintenance Group (Follow-up to treatment)	10	0	10
Total Number of Program Participants	**185**	**18**	**167**
Sexual Deviance Assessments (Adolescent/Adult)	37	1	36
Turning Point Assessments	53	0	53
Turning Point Victim Contacts/Assessments	53	53	0
Other Program Assessments	148	23	125
Total Assessments	**291**	**77**	**214**

Highlights and Initiatives

1. The Turning Point Coordinator was involved in the development of the Woman Abuse Protocol.
2. The Turning Point Coordinator continued as co-chair of The Victim Services Advisory Committee.
3. Staff of the centre delivered the interpersonal violence training within the course calendar of divisional training.
4. The Sexual Deviance Specialist attended the International Meeting of Sexual Deviance Specialists in October 2000.
5. Throughout the year, the centre's staff made public and professional education presentations to diverse organizations, including non-governmental organizations; Child, Family and Community Services; special needs organizations and other community/professional forums.
6. The centre's coordinator co-delivered a presentation to the National Conference on Substance Abuse/Adult Offenders. The conference was an initiative of the Correctional Service of Canada.
7. The final draft of a new manual of Anger Management Programming was completed within this period.
8. Staff continued to attend relevant professional training offered by the Association for the Treatment of Sexual Abusers (ATSA) and Dalhousie School of Social Work.
9. Overall work demands, as represented by total assessments completed and total numbers of individuals participating in

programs offered by the centre, were consistent with the previous fiscal year.

Alternative Residential Placement and Community Youth Worker Program

This province-wide program consists of a coordinator, 5.5 community youth workers, an administrative support person and a network of privately operated homes which provide contracted residential resources for high-risk youth. The overall mandate of these programs is the prevention of youth crime and the reduction of recidivism through the support and assistance provided by staff and community residential placement resources. Emphasis is placed upon the successful reintegration of youth back into their families and the community. Referrals for these programs are received from Probation Services; Child, Family and Community Services; Youth centres; Mental Health; Education; families; self, etc.

The Community Youth Worker (CYW) component of this program offers the following services:

- case management (assessment, case planning and intervention with other services/agencies), one-to-one counselling, supervision and support services to high-risk youth and their families;
- support to Alternative Residential Placement homes and youth within these homes through regular contact, consultation and involvement with other agencies and community organizations;
- identifying and facilitating preventative programs for youth and families within the community including group and individual programs, such as: Anger Management; Peer Helper; Effective Parenting of Teens, etc.;
- conducting regular home visits to assess and strengthen family and community function; and,
- with the exception of the Summerside and Area Community Youth Worker, all Community Youth Workers participate on Multi-Agency Support Teams or School Health Teams. Many Island youth benefit from this valuable service within their own school.

The Alternative Residential Placement (ARP) component consists of financial resources to contract with private homes across the province. After screening and departmental approval, the placements can be contracted to provide residential resources for high risk/high need youth in need of safe, structured residential care outside of, or as a complement to, their natural homes. Placement decisions are assessed and determined on an individual basis, as an integral component of an overall case management plan. These homes and substitute family settings provide an effective and efficient alternative to custody for youth who have a residency clause in their probation order or as an option for open custody placements. The average placement period is three to six months with the home providers offering guidance and support during these stays in such areas as life skills, education and structured community involvement and leisure activities. Professional development and training opportunities, as well as ongoing support and supervision, are made available to these homes and youth placed in these homes by the Program Coordinator and Community Youth Workers.

Table 8
Community Youth Worker Program – Caseload
Fiscal Year 2000-2001

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Yearly Totals
New Referrals*	17	18	16	14	65
Files Closed*	25	19	9	25	78
Active Files At Quarter End*	72	72	73	63	
Total Youth Served	120	92	112	148	168
MAST/School Health Team	28	5	31	62	

***CYW Caseloads Include: 1-1, CSW, and A/M Clients**

Table 9
ARP Resident Days
April 1, 2000 to March 31, 2001

	Type of Residency			
Month	On an Undertaking	Directed to Reside	Custody Placement	Monthly Total Resident Days
April 2000	46	131	26	203
May 2000	30	137	5	172
June 2000	21	143	37	201
July 2000	0	72	51	123
August 2000	0	37	21	58
September 2000	0	55	25	80
October 2000	0	58	10	68
November 2000	0	30	0	30
December 2000	18	61	0	79
January 2001	31	44	0	75
February 2001	34	28	0	62
March 2001	20	48	0	68
Total ARP Days FY 00/01	200	844	175	1219
Percentage of Each Type of Residency Based on FY Total	16.41%	69.24%	14.36%	100%

Highlights and Initiatives

1. As of March 31, 2001, there were nine Alternative Residential Placement homes approved for use across the province.
2. During the past year, 14 youth resided in Alternative Residential Placement homes: six as open custody designations; eight as Directions to Reside; and one youth was placed as a condition of an undertaking rather than being remanded to youth custody. (*Note: Number of youth placed does not match number of placements, as one youth was placed as an "Undertaking," then as "Direction to Reside."*) Placements in ARP homes were consistent with the previous fiscal year.
3. One hundred and sixty-eight youth across the province received one-to-one service, and Community Service Work and Alternative Measures supervision under the Community Youth Worker Program this year. Referrals for community youth worker service increased 52 per cent during the past fiscal year compared to the year previous.
4. Community Youth Workers facilitated/co-facilitated group education programs across the province in the areas of anger management, self-esteem and building healthy relationships.

Victim Services

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April 1989. The system-based approach was developed in Prince Edward Island and has been adopted by several other provinces/territories since then. The key attributes of a system-based Victim Services program are that it:

- operates within the criminal justice system, but independently from the police, crown attorneys, or the courts;
- is client-centered;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process; and
- uses an outreach approach.

Mandate

Section 7 of the *Victims of Crime Act* (amended effective August 7, 1999) states that the purpose of Victim Services is to:

- assist victims as needed throughout their contacts with the criminal justice system;
- help victims to access other needed services;
- receive applications for criminal injuries compensation and investigate claims on behalf of the Attorney General;
- assist with the preparation and filing of Victim Impact Statements;
- assist justice personnel and community agencies in providing services to victims; and,
- promote the Statement of Principles.

Mission Statement

Victim Services provides a client-centered service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement

All victims of crime in Prince Edward Island who require assistance through the criminal justice process will be referred, at the earliest opportunity, to Victim Services; and the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Values

The Statement of Principles in the *Victims of Crime Act* states:

- victims should be treated with courtesy and compassion and with respect for their dignity, privacy and convenience;
- victims should receive prompt and fair financial redress for the harm that they have suffered;
- victims should be informed of and should have access to services including social, medical, legal and mental health assistance;
- victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings and the ultimate disposition of the proceedings;
- victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure;
- victims and their families should be protected from intimidation, retaliation and harassment;
- victims should have their stolen property returned to them, as soon as possible, after recovery by law enforcement authorities;
- victims are entitled to prepare a Victim Impact Statement and have it considered by the court at sentencing; and,
- victims are entitled to be informed about the offenders' status, including release dates, parole eligibility and probation terms.

Goals

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location in Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;
- to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a Victim Impact Statement, by working collaboratively with the police and crown attorneys;
- to ensure that victims understand the implications of preparing and filing a Victim Impact Statement and do so voluntarily; and
- to promote the use of the *Victims of Family Violence Act,* in appropriate cases.

Victim Services uses an outreach approach to inform victims about the available services, rather than leaving it to victims of crime to find out about the service at the time they need it. Most referrals to Victim Services come from municipal police and RCMP across the province and Victim Services staff follow up from the initial police response to victims of crime. In some cases, victims contact Victim Services prior to reporting to the police. Victim Services staff make ongoing efforts to inform police about the services available through Victim Services and encourage them to make early referrals.

Once a referral is received, Victim Services staff contact victims at the earliest opportunity by telephone, if possible, or by letter enclosing a Victim Services brochure. In some cases, the first contact is in person, when the victim comes to the Victim Services office or meets the worker at the police station. In 2000-2001, 574 victims were first contacted by telephone, 141 by letter, and in 43 cases, the first contact was in person.

Victim Services cases are categorized in the following classifications: general, sexual abuse, wife abuse, other family abuse, and commercial/institutional. The following table illustrates the total and percentage of each type of case opened in 2000-2001. The table also indicates the police agency involved with each case. In 2000-2001, 51 per cent of Victim Services' new cases involved general victims; 30 per cent wife abuse victims; 11 per cent sexual abuse victims; five per cent other family abuse victims; and three per cent commercial/institutional victims.

Table 10
Victim Case Classification: New Cases
2000-2001

Police Jurisdiction	General	Sexual Abuse	Wife Abuse	Other Family Abuse	Commercial/ Institutional	Total
Alberton RCMP	19	9	13	0	2	43
Borden PD	0	0	0	0	0	0
Charlottetown PD	194	34	80	13	4	325
Charlottetown RCMP	53	12	38	5	1	109
Kensington PD	2	1	4	0	0	7
Montague RCMP	22	5	25	4	0	56
Summerside RCMP	20	12	18	1	1	52
Summerside PD	74	4	35	14	15	142
Souris RCMP	6	1	8	3	0	18
Out of Province	0	2	2	1	0	5
No Police Involvement	0	0	2	0	0	2
Grand Totals	**390**	**80**	**225**	**41**	**23**	**759**
Percentile	**51**	**11**	**30**	**5**	**3**	**100**

The total of 759 new cases represents an increase of 105 when compared with the 1999-2000 fiscal year. Most of this increase was in the "general" case classification, which

increased from 288 cases in 1999-2000 to 390 cases in 2000-2001.

It is likely that this increase can be accounted for by section 722.2(1) of the *Criminal Code*, which came into effect December 1, 1999, as part of an act to amend the *Criminal Code* (Bill C-79). Section 722.2(1) states that the court shall inquire whether the victim has had an opportunity to prepare a Victim Impact Statement. Due to this amendment, the police have been routinely informing victims of their right to prepare a Victim Impact Statement and have been making more referrals to Victim Services, particularly of "general" victims.

New cases from RCMP detachments increased significantly in all detachments except Souris, which decreased by two. Summerside Police cases increased from 84 to 142 and Charlottetown Police cases remained high at 325 (a decrease of one case). In addition to the 759 new cases, 468 cases from previous years continued to be active.

Assaults, including all levels of assault from common assault to aggravated assault, are by far the most frequent type of crime in Victim Services' cases, representing 35 per cent of the new cases in 2000-2001. The next most frequent types of crime for Victim Services' cases were: thefts (13 per cent), sexual assaults (10 per cent), harassment (nine per cent), threats (eight per cent), and damage to property (seven per cent). It is interesting to note that Victim Services dealt with substantially more property-related offences (especially thefts, damage to property, fraud and possession of stolen property) in 2000-2001 compared to 1999-2000. This is again related to the *Criminal Code* amendment regarding Victim Impact Statements noted above.

The victim and suspect or offender were known to each other in 461 of the 759 new cases. There was a family-type relationship in 279 of these cases. In family-type cases, the suspect or offender was most frequently a husband (66 cases), a common-law husband (44 cases) or an ex-common-law husband (32 cases). The most frequent non-familial relationship was general acquaintance (29 cases).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been quite consistent over the years. In 2000-2001, in 90 per cent of Victim Services' cases, the offenders were adults.

Age ranges of Victim Services' new clients were as follows: under 12 years (three per cent); 12 to 20 years (18 per cent); 21 to 40 years (32 per cent); 41 to 60 years (12 per cent); 61 years and over (three per cent); unknown/not recorded (31 per cent). Seventy-one per cent of Victim Services' new clients were females.

Assistance provided to Victim Services' clients are summarized in the following table:

Table 11
Assistance Provided 2000-2001

Type of Assistance	Number of Times Provided
Information about	
• status of the investigation	225
• the criminal justice system	195
• available services	737
• court procedures	388
• court dates	607
• court status and disposition	606
• financial options	39
• corrections/offenders' status	179
Emotional Support	955
Short-term counseling	139
Referrals for legal, financial or counseling assistance	76
Support through the court process	
• court orientation tour	88
• appointment with the Crown Attorney	89
• transportation to court/Crown Attorney	46
• accompaniment to court	130
Assistance with preparing Victim Impact Statements	226
Information about/assistance with criminal injuries compensation	267
Written materials (booklets, brochures, etc.)	316
Other (including assistance under the *Victims of Family Violence Act*)	79

A comparison of Table 11, Assistance Provided in 2000-2001, with the 1999-2000 year shows substantial increases in the information categories as well as in assistance with preparing Victim Impact Statements. This illustrates that victims referred for assistance with Victim Impact Statements also receive other services from Victim Services.

An important objective of Victim Services' system-based approach is to provide a seamless service by maintaining a liaison with criminal justice and community agencies. Contacts by Victim Services staff on behalf of clients are summarized in the following table:

Table 12
Liaison With Other Agencies 2000-2001

Agency Contacted	Number of Contacts
Police	639
Crown Attorneys	494
Probation Services	154
Provincial Corrections	30
Federal Corrections	43
Other Government and Community Agencies	170

When concluding cases, Victim Services staff record the clients' reactions to the assistance provided. In 2000-2001, 300 victims were very positive and 356 were positive. For cases involving family members, 64 were very positive and 35 were positive. No victims or family members were recorded as reacting negatively to Victim Services.

The level of service provided by Victim Services varies depending on the needs of the client. In 2000-2001, 18 per cent of clients required a high level of assistance involving many hours of staff time, 32 per cent a medium level of assistance and 40 per cent a low level of assistance. In 10 per cent of the cases, the victims did not respond to the letter sent by Victim Services informing them of the available services.

Victim Impact Statements

Since 1989, Victim Services has been designated by the Lieutenant Governor in Council as the program responsible for preparing and filing Victim Impact Statements. Victim Impact Statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge takes Victim Impact Statements into consideration when deciding on sentence. In 2000-2001, 226 Victim Impact Statements were prepared and filed with the court, an increase of 39 over the 1999-2000 fiscal year, which had increased by 30 from the previous year. This trend of increasing numbers of Victim Impact Statements results from the amendment to section 722.2(1) of the *Criminal Code* mentioned earlier.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Since 1989, a lawyer within the Legal and Judicial Services Division has been responsible for adjudicating claims and writing a report, including recommendations, to the Attorney General who makes decisions regarding claims. The Legal Services lawyer has many other responsibilities besides adjudicating compensation claims. Over the years, a backlog of claims gradually developed at the adjudication stage.

Amendments to the *Victims of Crime Act* and Regulations, which came into effect August 7, 1999, were designed to speed up the adjudication process by providing that:

- claims under $1,000 can be decided upon by a person designated by the Attorney General without the necessity of writing a report (the adjudicator in Legal Services and the provincial manager of Victim Services are designated persons);

- adjudication of claims exceeding $1,000 can be done by either the adjudicator or the provincial manager (a report to the Attorney General is required for these claims); and
- for claims resulting from the death of a victim, after deduction of funeral and other expenses, the maximum award is to be divided equally among all dependents (rather than pro-rating on a dependency basis as was previously the case).

In the 2000-2001 fiscal year, 31 new compensation applications were filed, 43 were carried over from the previous year and 27 decisions were made. Forty-four compensation files were carried forward to the next fiscal year. Eleven more compensation applications were filed in 2000-2001 than in 1999-2000.

Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December of 1996. Prince Edward Island was the second jurisdiction in Canada to enact family violence legislation. Under this act, Emergency Protection Orders are available 24 hours a day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Victim Services staff also provide information kits and make referrals for legal assistance for victims needing Victim Assistance Orders. Due to difficulties with obtaining timely legal assistance, very few applications for Victim Assistance Orders have been made.

In 2000-2001, 22 Emergency Protection Orders were granted under the *Victims of Family Violence Act*. This represents a decrease from 28 Emergency Protection Orders granted in 1999-2000. This coincides with the fact that Emergency Protection Orders have generally been decreasing over the past several years.

Victim Services staff presented on the *Victims of Family Violence Act* and Victim Services to municipal police and RCMP officers on five occasions during the 2000-2001 fiscal year, as well as training new Victim Services Workers and Transition House Association Outreach Workers on the act. The provincial manager made a presentation on family violence legislation at a conference in Cornerbrook, Newfoundland, in February and at the Federal/Provincial/Territorial Spousal Abuse Forum in March 2001.

Justice Canada, the RCMP and the Community and Correctional Services Division contributed funding for a full evaluation of the *Victims of Family Violence Act* conducted by Bradford and Associates between October 2000 and March 2001. Victim Services staff assisted by contacting clients who had obtained Emergency Protection Orders to ask if they would consent to be interviewed. The provincial manager was responsible for the research contract and participated on the Evaluation Sub-committee.

The evaluation included a file review, a survey of police officers and interviews with victims, Justices of the Peace, Victim Services workers, Supreme Court Justices and Registrars, Transition House Association staff, and key informants.

New Initiatives

With funding assistance from the Policy Centre on Victims Issues, Justice Canada, Victim Services initiated two projects during the 2000-2001 fiscal year. A Special Projects Officer was hired, beginning in January 2001, for a two year period, to assist with alleviating the high caseload in the Charlottetown area, backfilling for other Victim Services workers when on vacation or other leave, and conducting research.

A development and training officer worked from January through March 2001 to: explore the need for victim assistants to supplement the services provided by victim services workers to Francophone and Aboriginal victims of crime; consider an outreach approach to senior citizens; and update and organize training materials. The eastern region worker was seconded to carry out

this three month project and a temporary Victim Services Worker was hired to backfill in the eastern region (the areas covered by the Charlottetown, Montague, and Souris RCMP detachments). The secretary in the western region office provided secretarial assistance for this project.

Other Activities

Maintaining cooperative working relationships with other criminal justice and community agencies to coordinate case management and effect positive long-term change for victims of crime is an important part of Victim Services work. Staff from the western region participated on interagency committees on family violence in East Prince (nine meetings) and West Prince (two meetings). The western region worker also participated on the East Prince Child Sexual Abuse Coalition (three meetings), and served as a resource person for a play on family violence. The secretary for the western region office represented Victim Services on planning committees for Crime Prevention Week and conference, attending four meetings and the conference on June 12 to 17, 2000.

The eastern region worker replaced the provincial manager on the Provincial Advisory Committee on Child Sexual Abuse, attending two meetings.

The provincial manager continued her participation on the Premier's Action Committee on Family Violence Prevention (eight meetings) and the Administration Sub-committee (seven meetings), as well as the Advisory Committee on Women and Addictions (one meeting). The provincial manager continued to chair the Coalition for Woman Abuse Policy and Protocol (eight meetings) and the Justice Working Group sub-committee (two meetings) and participated in a workshop for this project on November 7, 2000.

The provincial manager and secretary provide executive and administrative assistance to the Victim Services Advisory Committee (VSAC) and sub-committees. The VSAC meets four times per year and the co-chairs and provincial manager meet regularly between meetings. One of two major projects for the VSAC during 2000-2001 was the implementation of recommendations from the report on *Family Violence and the Justice System Response*. The provincial manager organized and participated in 12 meetings focused on implementing the recommendations.

The second major project of the Victim Services Advisory Committee was the Roundtable on Victims Issues held on October 25 and 26, 2000. Four staff from Victims Services attended the roundtable. Planning for and follow-up from the roundtable involved four meetings for the provincial manager, as well as drafting responses and correspondence.

The provincial manager participated in several new community and government projects and planning initiatives during the year, including: Justice Options for Women Who Are Victims of Violence (five meetings), the Advisory Group for the PEI Women's Coalition Legal Aid Project (three meetings and one conference), the Family Law Section Planning Committee (seven meetings), Woman Abuse and the PEI Legal System Research Team (four meetings) and *Youth Criminal Justice Act* planning (three meetings).

The provincial manager continued with federal/provincial/territorial (F/P/T) activities. These included participation on the F/P/T Working Group on Victims of Crime, the Ad Hoc F/P/T Working Group on Spousal Abuse Policies and Legislation, and attendance at the National Forum on Spousal Abuse in March 2001. Funding assistance from the Policy Centre on Victims Issues, Justice Canada, has been instrumental in facilitating participation in these activities. Victim Services staff also assisted with national research on Victim Impact Statements; two staff attended the International Symposium on Victimology in Montreal in August 2000; and one worker attended a regional meeting in Halifax in March 2001, as part of a National Consultation on Victims held by the Solicitor General of Canada.

As one of three sections in the Community and Correctional Services Division, Victim Services staff participate in divisional meetings and other activities. The provincial manager attended seven division managers meetings, six program managers meetings, two site visits, and an employee wellness planning workshop. The western region worker attended two meetings of the Divisional Priorities Committee.

Victim Services staff attended various workshops and consultations during the year on topics including family violence, child victims, restorative justice, youth justice, sex offenders' treatment, information technology security, *Criminal Code* amendments and Aboriginal community justice. The eastern region worker, Melody Lane Gay, participated in the Foundation Program of the Pathways to Leadership Public Service Development Program. This included participation in 11 workshops during this fiscal year.

Victim Services staff presented on Victim Services and related topics to two UPEI classes, three community groups, one church group and on a radio panel. In addition, the provincial manager participated in a panel and video on restorative justice sponsored by the Law Commission of Canada. Victim Services staff also continued to respond to numerous requests from other provinces and territories for information regarding Victim Services, the *Victims of Crime Act* and the *Victims of Family Violence Act*.

The following objectives which were established for the 2000-2001 fiscal year have been met through the following means:

- decreasing the backlog of criminal injuries compensation claims through procedural amendments as described above and the diligent efforts of the adjudicator in the Legal and Judicial Services Division, the backlog has been reduced to a manageable level;
- alleviating the excessively high caseload of the Charlottetown worker (the two-year special projects officer project described above has achieved this objective on a temporary basis);
- increasing the secretarial position in the Prince County office to full-time (this position was changed to a full-time position effective September 12, 2000);
- continuing revisions for literacy levels of Victim Services information materials, in particular the Criminal Injuries Compensation Information Sheet (revisions to this Information Sheet were completed in January 2001);
- obtaining funds for an evaluation of the *Victims of Family Violence Act* (funds were obtained as described earlier).

The following objectives were not met and will be carried forward into the 2001-2002 fiscal year:

- translating the Criminal Injuries Information Sheet into French;
- finding ways to help victims exercise their rights and obtain legal assistance when needed;
- accessing Web site development assistance to put training materials on Victim Services and the *Victims of Family Violence Act* on-line, particularly for use by police officers.

Additional objectives for the 2001-2002 year include:

- based on the evaluation of the *Victims of Family Violence Act*, developing a renewed approach to the administration of the act;
- seeking approval to establish an additional permanent position at Victim Services to follow from the two-year temporary Special Projects Officer position;
- exploring the feasibility of conducting research on victims' experiences with Alternative Measures;
- with the cooperation of courthouse administrators, setting up and furnishing a child witness waiting room in the Law Courts Building in Charlottetown;
- beginning a process for monitoring and evaluating victims' experiences with the criminal justice system.

Victim Services offices are located in Charlottetown and in Summerside.

Victim Services Personnel

Provincial Manager	Ellie Reddin
Victim Services Worker, Western Region	Jean Profit
Victim Services Worker, Eastern Region	Melody Lane Gay (April to December)
Victim Services Worker, Eastern Region, temporary	Joy Coffin (January to March)
Assistant Victim Services Worker, Charlottetown Area	Evelyn Marshall
Special Projects Officer, Charlottetown Area, temporary	Dina DesRoches
Secretary, Charlottetown Office	Dianna Cudmore
Secretary (part-time) Summerside Office	Carol Gallant

Consumer, Corporate and Insurance Services Division

Director: Edison Shea

This division registers and incorporates business enterprises, cooperatives and nonprofit organizations that are formed in the province, and registers all out-of-province companies carrying on business in the province. Selected business enterprises such as insurance companies, securities issuers, real estate firms, credit unions and other financial institutions in the province are regulated.

The division administers the Gun Control Program and the Orderly Payment of Debts Program. All bingos, raffles and the like are licensed under the Lottery Schemes Order. Consumers are provided with information and assistance in dealing with problems encountered in the marketplace. The Public Trustee provides protection and assistance to mentally incompetent persons by looking after their financial affairs and other needs.

Corporate Section

Acts Administered

The Corporate Section of the Office of the Attorney General is responsible for the administration of the following statutes:

Companies Act
Condominium Act
Co-operative Associations Act
Credit Unions Act
Foreign Resident Corporations Act
Licensing Act
Limited Partnerships Act
Partnership Act
Securities Act

Statistics

Following are statistics related to the various statutes administered by the Corporate Section:

Companies Act	2000-2001	1999-2000
Incorporations during the year		
Business corporations	374	438
Nonprofit corporations	34	43
Certificates of Good Standing issued	164	142
Annual returns filed under Section 80 of the *Companies Act*	4,065	4,332
Number of companies dissolved	195	299
Number of companies revived	21	14

Co-operative Associations Act

There are approximately 100 active cooperatives in the province. During 2000-2001, there were nine new cooperatives incorporated, compared to five the previous year.

Credit Unions Act

The *Credit Unions Act* is administered by the Credit Union Central of Prince Edward Island, which also carries out inspections of credit unions. A separate report on credit unions, as compiled by the Credit Union Central, is also presented in the legislature.

In 1992, a new insurance plan was put in place for credit unions by the Credit Union Deposit Insurance Corporation (CUDIC). The insurance coverage, provided for deposits and shares in credit unions, is similar to that provided for deposits in banks and trust companies by the Canada Deposit Insurance Corporation.

On December 24, 1997, amendments to the *Credit Unions Act* were passed which increased the deposit insurance coverage to 100 per cent of credit union members' deposits held in registered retirement savings plans and registered retirement income funds.

The Credit Union Central staff communicates regularly with the department to keep it informed about the credit union movement. The Director of Consumer, Corporate and Insurance Services also serves as the Registrar of Credit Unions and is a member of the board of directors of the Credit Union Deposit Insurance Corporation.

Licensing Act

All out-of-province businesses carrying on business in this province are required to register under the *Licensing Act* regardless of whether they have an office or employees in the province. Such business organizations include banks, trust companies, loan companies, finance companies, chain stores, oil and gas companies, construction companies, manufacturers and generally all companies not incorporated under the laws of this province and having their head office or chief place of business located outside the province.

Licensing Act	2000-2001	1999-2000
Companies registered under the *Licensing Act*	2,404	2,336
Certificates of Good Standing issued	129	142

Partnership Act

The business names of sole proprietorships and partnerships are registered under the *Partnership Act* as well as trade names of corporations.

Partnership Act	2000-2001	1999-2000
Declarations of proprietorships, partnerships and trade names filed	1,072	1,141
Dissolutions filed	233	261

Declarations filed under the *Partnership Act* expire three years after the date of filing unless renewed.

Securities Act

The *Securities Act* regulates the sale of securities to the public and provides for the licensing of brokers and salespeople. The purpose of securities legislation is to provide investor protection and to foster efficient capital markets.

Canadian Securities Administrators (CSA)

The Canadian Securities Administrators (CSA) is comprised of the 13 provincial and territorial securities regulatory authorities in Canada. Over several years, the CSA has established and continues to develop and administer the Canadian Securities Regulatory System. The CSA functions through meetings of Commission Chairs and Registrars held at regular intervals, meetings and ad hoc interactions between executive directors, and through working committees established by the chairs and registrars.

The securities regulatory authorities share a mandate of ensuring well-regulated markets which protect investors from unfair, improper or fraudulent practices while fostering fair, efficient capital markets within each of their jurisdictions.

The CSA members register individuals and companies who give advice about or trade in securities, review prospectuses, monitor continuous disclosure documents, conduct compliance reviews of registrants, grant discretionary exemptions from registration and prospectus requirements, investigate possible violations of provincial securities laws, and commence proceedings before the commission (in provinces that have a securities commission) or the Provincial Court.

In some jurisdictions the securities regulatory authority is a self-funding agency or crown corporation. In others, including this province, the securities regulatory authority operates from within a department of the provincial government.

***Securities Act* Registrations and Filings**	**2000-2001**	**1999-2000**
Licenses issued		
Resident salespersons	310	347
Nonresident salespersons	2,086	1,375
Total salespersons licensed	**2,396**	**1,722**
Brokers licensed	90	78
Personnel changes filed	338	276
Prospectuses registered	2,550	2,098
Prospectus amendments registered	994	706
Certificates of Exemption	245	139
Annual Information Forms registered	428	430

Revenue

Revenue Source	2000-2001	1999-2000
Companies Act	$362,000	$414,000
Licensing Act	675,000	633,000
Securities Act	2,536,000	1,981,000
Other statutes	109,000	160,000
Total revenue collected by Corporate Section	$3,682,000	$3,188,000

Comments

Corporate section staff spend a significant amount of time responding to inquiries from the public as much of the information filed in the section is public information. Requests for information about corporations, cooperatives, partnerships or other matters come from the legal and accounting professions, other government departments, police authorities, business people, financial institutions and the public at large.

Corporate Section Personnel

Director	Edison Shea
Deputy Registrar of Securities	Mark Gallant
Corporations Officer	Sandra Furlotte
Administrative Assistant	Sheila MacNevin
Securities Secretary	Lorraine Matheson
Securities Clerk	Janice Hancock
Corporations Clerk	Joan MacKay
Corporations Clerk	Lori Stewart
Corporations Clerk	Brenda Storring

Insurance and Real Estate Section

Insurance Act	2000-2001	1999-2000
Insurance companies licensed	230	223
Applicants examined	79	110
Number of insurance agents licensed	375	362
Number of insurance adjusters licensed	53	47

Comments

The superintendent of insurance also acts as the registrar under the *Real Estate Trading Act*. The superintendent primarily administers the *Insurance Act*. Duties of the office centre around the licensing and regulation of all insurers, agents and adjusters active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

The superintendent participates in regional and national efforts to ensure the local insurance industry environment remains current and best serves the needs of all stakeholders. The ultimate goal remains to ensure the products demanded by the public are available at the lowest possible cost. This goal was the impetus for the Conference of Atlantic Premiers' ongoing project to harmonize legislation, policies and procedures governing the insurance industry in the region.

The recent trend continued for the insurance industry in Prince Edward Island throughout 2000-2001 as rates remained relatively stable and there were no insolvencies involving companies licensed to do business in the province. The Insurance Company of Prince Edward Island and the Prince Edward Island Mutual Insurance Company are provincially incorporated and continue to operate in the province.

Revenue

Revenue collected under the various statutes is as follows:

Revenue Source	2000-2001	1999-2000
Premium tax	$5,944,000	$5,451,000
Fire prevention tax	248,000	255,000
Third-party auto levy	1,558,000	876,000
License fees and other	226,000	197,000
Total Insurance and Real Estate Section revenue	$7,976,000	$6,779,000

Comments

Premium tax at the rate of 3.5 per cent is collected on all insurance premiums (except fraternal) written in the province. The Fire Prevention Tax, which is assessed at one per cent of the total fire premium, is basically designed to defray expenses of the Provincial Fire Marshal's office. The Third Party Auto Levy is assessed on each insurer underwriting auto insurance.

The purpose of the Third Party Auto Levy is to offset provincial health care costs associated with innocent victims of automobile accidents. The levy allows the province to recover its costs in an efficient manner and is assessed on a per earned vehicle basis.

Real Estate

The registrar administers the *Real Estate Trading Act*. Duties of the office include the licensing and regulation of all agents and salespersons active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

***Real Estate Trading Act* Statistics**	**2000-2001**	**1999-2000**
Real estate sales (approx.)	$131,000,000	$127,000,000
Real estate commissions (approx.)	$7,200,000	$7,000,000
Agents licensed	49	48
Salespersons licensed	166	183

Insurance and Real Estate Section Personnel	
Superintendent of Insurance	Robert Bradley
Administrative Assistant	Kay Constable

Office of the Public Trustee

The services of the Public Trustee continued to increase during the year with 513 active files, an increase of three over the previous year. Funds held in trust at March 31, 2001, totaled $6.7 million. The funds of clients with available balances are invested in Provincial Deposit Receipts ($1.6 million at year end) and Term Bank Deposits ($1.6 million). The trust accounts are audited annually by the Auditor General and his report is available to the public.

The section continues to enjoy a close working relationship with the health care agencies; and as a result, is able to better control the assets of patients or guests who are considered incompetent. The role of the Public Trustee is increasing as many persons admitted to government homes are declared incompetent before admission. The Public Trustee is also called upon to represent estates of deceased persons in certain actions and, of course, continues to act as Administrator of Estates when no one else is available or qualified. The advisory committee is consulted from time to time as the need arises.

Office of the Public Trustee Personnel	
Public Trustee	Les Zielinski
Deputy Public Trustee	Robert Landry
Administrative Assistant	Kay Constable
Clerk	Nancy Walker

Consumer Services Section

The Consumer Services Section is responsible for the administration of the following programs:

Program	Statutory Reference
Video Classification	*Films Act*
Debtor Assistance	Orderly Payment of Debts, Part X of the *Bankruptcy and Insolvency Act*
Gun Control	Sections 84-117, *Criminal Code* *Firearms Act*
Consumer Education and Information, Complaints and Inquiries	Various Provincial Statutes
Regulation of Charitable Gaming	Lottery Schemes Order, Sections 206 and 207 *Criminal Code*
Licensing of various industries	Various Provincial Statutes

Video Classification

The *Films Act* requires that all retail video outlets that rent, sell, lease or otherwise distribute movies (on video) must be licensed and ensure that videos are labelled with the proper classification sticker. Movies which have been prohibited by the Classification Board or which have yet to be classified, cannot be rented or sold. No film/video containing material of a sexually explicit nature may be rented or sold to any person under the age of 18 years.

Licensing statistics	2000-2001	1999-2000
Video licenses issued (one- or two-year terms)	51	81
Total number of video rental outlets licensed	78	131

Debtor Assistance Program – *Orderly Payment of Debts (OPD) Part X, Bankruptcy and Insolvency Act*

Through this program, an alternative to consumer bankruptcy, a person pays off his or her debts by making a series of monthly payments to the Clerk of the Court. Through OPD, debtors are given the opportunity to retire their debts over an extended period of time, consistent with their ability, while maintaining a reasonable standard of living. The relevant statistics are as follows:

	2000-2001	1999-2000
Funds disbursed to creditor	$ 300,015	$ 288,320
Debtor interviews and reviews	161	185

In 2000-2001, 21 new Consolidation Orders were issued with no change from 1999-2000. Fourteen clients retired their debts in 2000-2001, as compared to seven clients in 1999-2000. Ten hearings were held in 2000-2001 and 750 information packages were mailed to potential clients.

Gun Control – Sections 105-116, *Criminal Code*

In 2000-2001 there were 14 businesses licensed under the *Firearms Act*. Nine of these are licensed to sell firearms – restricted and non-restricted; three are museums and two are armed guard companies. Eighteen businesses are licensed to sell ammunition only.

As well, there were 455 firearms Possession and Acquisition Licenses (PALS) issued for the purpose of acquiring firearms from April 1, 2000, to March 31, 2001, and 3,364 Possession Only Licenses (POL) issued.

There are three shooting clubs licensed: one in Kings County, Kings County Shooting Sports Co-operative Limited; one in Queens County, the PEI Provincial Rifle Association; and the Livingston Family Gun Club in Prince County. These clubs are licensed for a one-year period. They are required to re-apply each year and must meet the requirements set out in the *Firearms Act* and Regulations.

In addition to licensing firearms businesses, this office issued 30 Authorizations to Carry firearms to armed guards who work within the province and 128 Authorizations to Transport firearms for various purposes.

Consumer Education and Information

In 2000-2001, staff of the section spoke to several different groups and educational institutions. Workshop presentations on frauds and scams were made for the Seniors Federation, individual senior citizens' associations and a youth training session. Approximately 200 people attended these workshops, which also included presentations by the RCMP, municipal police and the Public Trustee. A presentation on telemarketing and mail fraud was also given as an in-service police course at the Atlantic Police Academy.

Staff participated in television and radio interviews regarding Internet scams aimed at seniors and prepared alerts to the media giving consumers advice on protecting themselves against frauds and scams.

Consumer Complaints and Inquiries

Consumers can obtain information or assistance under two circumstances:

- prior to a purchase – an inquiry; and
- post purchase – a complaint.

Pre-purchase inquiries – consumers can obtain copies of ratings on products, as well as generic information that gives them guidelines to consider when purchasing goods and services.

Post-purchase complaints – consumers can obtain information on their rights provided under provincial legislation or assistance with mediation when requested by either the consumer or the retailer. A complaint which involves a situation of noncompliance by a firm whose activity is subject to one of the assigned statutes is investigated, and, when necessary, corrective measures are taken.

Regulation of Charitable Gaming

The Lottery Schemes Order made pursuant to Section 207 of the *Criminal Code* empowers the province to license and set terms and conditions for the operation of charitable gaming. These include bingos, raffles, lotteries, casino nights, 50/50 draws and sports pools. The licensing and financial statistics follow:

Licensing Statistics	2000-2001	1999-2000
Lottery scheme licenses issued	747	791
Bingos licensed	50	50

Bingo Revenue and Expenses	2000-2001	1999-2000
Total receipts	$ 14,171,694	$ 14,939,724
Prizes paid out	9,988,521	10,489,122
Wages to employees	584,686	589,717
Supplies (bingo paper)	545,216	584,591
License fees	199,842	210,689
Advertising	227,207	264,119
Rent	51,673	82,843
Other expenses – utilities, management fees	154,246	141,783
Total Expenses	11,751,391	12,362,864
Total receipts minus total expenses	$ 2,420,303	$ 2,576,860

Licensing and Registration of Various Industries

In addition to those statutes mentioned elsewhere, this section also administers the following statutes which require a license or registration:

Auctioneers Act
Cemeteries Act
Charities Act
Collection Agencies Act
Consumer Reporting Act
Direct Sellers Act
Private Investigators and Security Guards Act

As well, the section is responsible for the administration of three other statutes which, while no license or registration is required, do prescribe rules of conduct. They are:

Business Practices Act
Consumer Protection Act
Pre-arranged Funeral Services Act

Licensing statistics	2000-2001	1999-2000
Auctioneers licensed (two-year license term)	19	14
Collection agencies licensed (two-year term)	17	15
Total number of collection agencies licensed	33	29
Consumer reporting agencies licensed (two-year term)	6	2
Direct sellers licensed (two-year term)		
Individuals	48	71
Companies	32	15
Private investigators and security guards		
Individuals licensed	155	150
Companies licensed	29	29

Revenue

The Consumer Services Section collects fees under various statutes, as follows:

Revenue Source	2000-2001	1999-2000
Lottery Schemes Order	$247,000	$263,000
Gun control – federal funding	195,000	187,000
Other statutes	73, 000	83,000
Total section revenue	$515,000	$533,000

Consumer Services Section Personnel

Manager/Chief Firearms Officer	Eric Goodwin
Provincial Firearms Officer	Kaye MacFadyen
Consumer Services Officer	Gwyneth Jones
Compliance Officer	Linda Peters
Secretary	Marlene Hughes
Secretary	Debbie MacKenzie

Crown Attorneys Division

Director: Barrie L. Grandy, Q.C.

Mandate

The Crown Attorneys Division is mandated to represent the Attorney General of the province in all aspects of his prosecutorial function. The Crown Attorneys Office prosecutes offences under the *Criminal Code of Canada*, the *Young Offenders Act* and provincial statutes in the Provincial, Supreme and Appeal Courts of Prince Edward Island and in the Supreme Court of Canada. It also provides legal advice on criminal law to government ministries and the police, and develops policies and procedures on issues relating to the prosecution of criminal cases.

Mission Statement

The mission of the Crown Attorneys Division is to ensure fair and equal treatment in prosecuting offences.

Vision Statement

In attempting to achieve its mission, the Crown Attorneys Division contributes to the government's priority of fulfilling its social responsibility for providing for public safety.

In order to accomplish its mission, the Crown Attorneys Division has set the following goals:

(a) providing a prosecutorial service that reflects professional competency, dedication to public service and high ethical standards;

(b) providing a prosecutorial service that identifies and allocates the resources required to carry out the division's mission;

(c) providing, within the prosecutorial service, an environment that allows for the independent exercise of prosecutorial discretion; and

(d) providing a prosecutorial service that is reflective of the community it serves.

Main Activities

(a) providing advice to the police, upon their request;

(b) providing advice to provincial government departments, upon their request, concerning enforcement and prosecutions under provincial legislation that may lead to prosecutions;

(c) representing the Crown at judicial interim release (bail) hearings and preliminary inquiries in indictable criminal matters;

(d) prosecuting *Criminal Code*, *Young Offenders Act* and provincial statute offences;

(e) representing the Attorney General in criminal appeals before the Supreme Court of Prince Edward Island;

(f) representing the Attorney General in criminal appeals before the Supreme Court of Canada;

(g) arranging and dealing with criminal charges transferred to and from this province;

(h) acting for the Crown pursuant to the provisions of the *Coroner's Act*;

(i) defending against constitutional challenges to provisions of the *Criminal Code of Canada*, the *Young Offenders Act* and provincial statute offences;

(j) participating in the Alternative Measures Program for young offenders and adult offenders;

(k) representing the Attorney General on the Criminal Code Review Board;

(l) conducting criminal law refresher programs with the various police agencies in the province; and

(m) participating on a number of federal/provincial/territorial committees and consulting with task forces in relation to various criminal law initiatives, which include:

- (i) DNA Data Bank;
- (ii) *Firearms Act*;
- (iii) *Corrections and Conditional Release Act* review;
- (iv) *Young Offenders Act* review;
- (v) Cross-Border Crime;
- (vi) National High Risk Offender flagging system;
- (vii) Victim Services Advisory Committee;
- (viii) Strategy for the Renewal of Youth Justice;
- (ix) Provincial Impaired Driving Strategy;
- (x) Interagency Committee on Family Violence;
- (xi) Unified Law Conference (Criminal Law Section); and
- (xii) Organized Crime.

Administration

The administrative office is located in Charlottetown. The Charlottetown office handles court matters in the Supreme Court in Charlottetown and the Provincial Courts located in Charlottetown, Georgetown and Souris. The Charlottetown office deals with other matters relating to the administration of prosecutions in the province. The Summerside branch office is responsible for Prince County court matters located in Summerside and Alberton.

Crown Attorneys Division Organization

Director	Barrie L. Grandy, Q.C., Charlottetown
Crown Attorneys	Darrell E. Coombs, Charlottetown David P. O'Brien, Q.C., Summerside Valerie A. Moore, Charlottetown Gerald Quinn, Summerside John A. McMillan, Charlottetown Terri A. MacPherson, Charlottetown Lisa Goulden, Charlottetown
Administrative Assistant	M. Paulette Neale, Charlottetown
Administrative Support Workers	Wendy R. McKeeman, Charlottetown Michele Montgomery, Summerside Heather Watts, Charlottetown

Caseload

Overview
The number of adult criminal charges laid in the fiscal year 2000-2001, has dropped. On the other hand, the number of young offender charges has risen by an appreciable amount.

Calendar Year	Adult	Young Offenders	Total
1994	3,383	905	4,288
1995	3,327	693	4,288 (4,020)
1996	3,391	1,062	4,453
1997	3,394	804	4,198
1998	4,428	729	5,157
1999	4,900	421	5,321
2000	4,036	659	4,695

Provincial statutory offences are not included in the above-noted totals. In the fiscal year 2000-2001, the Crown Attorneys Division dealt with 177 contested matters; this number was up slightly from the previous year.

Alternative Measures
For the fiscal year 2000-2001, a total of 88 adults had criminal matters dealt with by way of alternative measures pursuant to section 717(1)(a) of the *Criminal Code*. During the same period, 107 youth criminal matters went by way of the same alternative measures program. These figures are only slightly different from the previous fiscal year.

Appeals
During the fiscal year 2000-2001, there were a total of 36 appeals involving the Crown Attorneys Office. The total consisted of seven Crown appeals, 26 defence appeals and three prisoner appeals. These figures increased slightly from the previous fiscal year.

Justice and Corrections

Provincial Advisor: Philip Arbing

Justice and Corrections continues to provide advice, assist with planning and program development, coordinate policy development, promote new initiatives or alternatives and lead intergovernmental discussions in selected justice and corrections matters. These activities involve other government departments/services, other levels of government, justice agencies and community organizations among other bodies.

This section is also responsible for coordinating departmental matters in relation to Policing and Aboriginal Justice, as well as leading provincial participation in the National Justice Statistics Initiative and The Canadian Centre for Justice Statistics.

Highlights and Initiatives

Crime Prevention

During the year participation continued in support of the National Crime Prevention Strategy particularly in the Joint Management Committee process related to the Community Mobilization Program. This process/program involves promoting the program, soliciting and reviewing proposals as well as recommending action in providing resources through the Federal Department of Justice. These resources support the work of community groups to prevent crime and reduce victimization particularly in regard to children, youth, women and Aboriginal people. The emphasis is on community development and community mobilization.

Steps have also been taken to review, revise and update the Provincial Crime Prevention Strategy which was first announced in 1995. The strategy will set out a provincial framework, principles and priorities and a context for crime prevention initiatives.

Provincial Strategy on Impaired Driving

The Provincial Strategy on Impaired Driving, announced initially in 1995, was renewed. The strategy places emphasis on coordination/leadership, legislation, special groups, i.e., repeat offenders, seniors, youth, and public education as an overall framework to prevent and respond to impaired driving and to improve road safety in the province. The section also continues to chair the Provincial Coordinating Committee on Impaired Driving, an interagency group, and to support initiatives in the context of the Provincial Strategy.

Alternative Dispute Resolution and Restorative Justice

In the area of Alternate Dispute Resolution and Restorative Justice the section continued efforts to refine a discussion paper for purposes of developing a provincial policy position or framework to guide the promotion, development and operation of Alternate Dispute Resolution approaches including Restorative Justice practices in the province.

In addition, participation in and opportunities for further learning and training in regard to Dispute Resolution and Restorative Justice in cooperation with community groups have continued.

Aboriginal Community Justice Working Group

Work continued by the Aboriginal Community Justice Working Group with representatives from the Office of the Attorney General and the Aboriginal organizations in the province toward the implementation of an Aboriginal Community Justice Program. This program, to be supported by provincial and federal funding, is to be accessible to Aboriginal people across the province regardless of residency so as to improve the justice system response for Aboriginal people. This initiative will also provide ways for Aboriginal people and organizations to more actively and meaningfully participate in resolving problems. It will also include increased cultural awareness and training among justice and other government officials.

Efforts were also initiated to examine ways and means to improve or increase the presence of Aboriginal people in the staffing, programs and services of the justice system in the province.

Justice Resource Service

The Justice Resource Service, a small unit, continued to participate in and/or support various activities related to the above initiatives. In addition, it also provides consultation, information sharing, coordination and other support to health, social services, justice and community organizations concerning selected initiatives using a community development approach.

Provincial Strategy on Healthy Child Development

Justice and Corrections and the Justice Resource Service have represented the Office of the Attorney General in the development of the Provincial Strategy on Healthy Child Development. Justice Resource Service serves on the recently established Children's Secretariat Working Group.

Federal/Provincial/Territorial Ministers Responsible for Justice

Justice and Corrections continued to support the Attorney General and Deputy Attorney General in the context of the forum of federal/provincial/territorial Ministers and Deputy Ministers Responsible for Justice. This included completion and development of briefing materials for ongoing meetings of ministers and deputy ministers and related follow-up. In addition, involvement in and/or representing the province in various federal/provincial/territorial working groups and committees in the broader justice and corrections context on a wide range of issues or subjects is a primary responsibility.

Attorney General Jeffrey E. Lantz officially launched Crime Prevention Week 2000 in a ceremony at Ecole Françoise-Buote. The theme for Crime Prevention Week 2000 was 'It Takes a Whole Community to Keep us Safe' – a very fitting phrase enforcing that we share responsibility for promoting safe communities. In this photograph, the students are displaying their Peaceful Mile banner.

Legal and Judicial Services Division

Director: Charles P. Thompson

Mandate

The mandate of the Legal and Judicial Services Division is to promote the impartial administration of justice, in conjunction with the Crown Attorneys Division, through the Office of the Attorney General.

Legal Services Section

Director: Charles P. Thompson

Mission Statement

The mission of the Legal Services Section is to fulfill the Constitutional mandate of the Attorney General, as chief law officer of the Crown, by providing quality legal services to the Government of Prince Edward Island.

Main Activities

The Legal Services Section is responsible for all civil law matters. Solicitors employed in the section provide comprehensive legal advice and legal services to government, including alternate dispute resolution services, and act for government in civil suits and tribunal proceedings. The following represents the types of legal service provided to government:

- represent the Director of Child Welfare before the courts with respect to the protection of children;
- represent the Director of Maintenance Enforcement before the courts in the enforcement of court ordered financial support;
- appear before the Island Regulatory and Appeals Tribunal on ministerial appeals;
- represent the government Self-Insurance and Risk Management Fund;
- represent the government in civil appeals before the Supreme Court of Prince Edward Island;
- represent the government in civil appeals before the Supreme Court of Canada;
- provide legal opinions on a wide range of matters to all government departments and some commissions and agencies;
- participate on a number of federal/provincial/territorial committees such as Forum on Management Issues, Aboriginal Law, Family Law and Child Custody, Environmental Lawyers in Government, Charter Conference;
- provide legal advice to the Freedom of Information and Protection of Privacy Implementation Team; and
- provide advice on contracts and tender documents

Legal Services Section Organization

Director	Charles P. Thompson
Office Manager	Deborah Gillespie
Senior Solicitor	Cyndria L. Wedge
Departmental Solicitors	Ruth M. DeMone Denise Doiron Sherry Gillis Loretta Coady MacAulay Gina MacLeod Madelyn Driscoll Patsy MacLean
Administrative Support Workers	Adele McLeod Juanita Cudmore Eileen Beaton Sandra Knudson

Goals

The trend over the past few years has shown that the need for legal services has continually grown with an increase in its caseload and the complexity of some legal issues. The Legal Services Section will continue to maintain its

current client base and existing service levels but will monitor the situation to ensure that all clients continue to receive quality service.

Judicial Services Section

Director: Charles P. Thompson

Mission Statement

The mission of Judicial Services is to provide for the effective and efficient operation and maintenance of administrative services to all levels of courts in Prince Edward Island.

Main Activities

Judicial Services is responsible for administrative activities in both Civil and Criminal Courts in all three levels of Courts – Provincial Court, Supreme Court Trial Division and Supreme Court Appeal Division. Staff work with an objective to make the most effective and appropriate use of personnel and other resources to provide and manage comprehensive court services programs across the province.

Such activities include:

- general administration
- judicial administration
- court records
- docketing at the Supreme Court Level
- Stenographic, Secretarial and Court Clerk services
- financial records
- enforcement

Branches of Judicial Services include:

- Supreme Court and Provincial Court Administration – Dorothy Kitson, Co-ordinator of Judicial Services
- Maintenance Enforcement – Debbie Conway, Director of Maintenance Enforcement
- Child Support Guidelines – Betty Egan, Child Support Guidelines Officer
- Sheriff Services – Frank Driscoll, Chief Sheriff
- Prothonotary's Office – George MacMillan, Prothonotary

Goals

The number of litigants appearing before the courts in Prince Edward Island has grown over the past few years. The Judicial Services Section will continue to provide quality service to all those coming before the courts. We will also continue with our efforts to provide better access to justice for all persons.

Maintenance Enforcement Office

Director: Debbie Conway

The Maintenance Enforcement Program continued to work in enforcing child and spousal support payment collection under the relevant legislation. Staff in this area have developed their own automated system in cooperation with staff from Information Technology Management Group and are looking forward to receiving federal funding as a result of the Federal Child Support Initiative.

Sheriff's Office

Sheriff: Frank Driscoll

The Sheriff's Office provides sheriff services to the public, the courts and other government departments, including a document service, courthouse security and prisoner escort.

Legal Aid

Manager: W. Kent Brown, Q.C.

Criminal and family legal aid services are provided under the Prince Edward Island Legal Aid Program. The program is administered under the general powers of the Provincial Office of the Attorney General. The scope of services covered by the program and financial eligibility for assistance are determined by government policy. Prince Edward Island does not have specific legal aid legislation.

The criminal legal aid services provided by the program are cost shared by Canada under a federal-provincial agreement implemented in 1973 and renewed from time to time since then.

Family legal aid is no longer funded directly by the federal government. Federal funding which was specifically directed toward civil legal aid in the past is now transferred to the provinces under the block funding provisions of the Canada Health and Social Transfer.

Objectives

The objective of the Criminal Legal Aid Program is to promote access to legal representation in the criminal trial process. Under the program, lawyers are made available to persons who would otherwise be unable to afford legal representation in serious criminal matters. As a minimum, legal aid will be provided in situations where a court applying the *Canadian Charter of Rights and Freedoms* would consider the assistance of counsel to be essential for a fair trial.

Eligibility

Eligibility for legal assistance is determined by a flexible means test. In this province the test is conducted by staff lawyers who must weigh the seriousness of the legal proceedings and then consider whether the applicant's present means should be sufficient to actually obtain private counsel within the time required.

Number of Approved Applications

The following numbers of criminal and *Young Offenders Act* (YOA) cases were completed during the year. Readers using this data for interjurisdictional comparisons on costs and caseloads are asked to note the following: Definitions of the term "case" and "application" may vary from one province or territory to another. An applicant may have several charges arising from one incident. Likewise, charges from several incidents are often dealt with by the court at one time. Files carried over from a previous year are recorded in the year in which the file is completed. This report records the number of approved applications. An approved application consists of all of the criminal charges facing the applicant at the time the file was opened as well as any additional charges for which assistance was approved within the following three-month period. Where an applicant is approved on a second or subsequent application beyond the three-month period, an additional application is recorded.

Program Statistics – Criminal Legal Aid

Adult and YOA	2000/2001
Number of approved applications completed and closed during the year	1083
Files referred to private counsel on a legal aid basis	122
Cost of criminal legal aid service provided by private counsel	$73,198
Number of Approved Applications by Region	
Charlottetown	491
Summerside	374
Alberton	58
Georgetown	122
Souris	38
Total	1083

Family Legal Aid

The Family Legal Aid Program was established in 1980. The program is operated in conjunction with the Criminal Legal Aid Program which was established in 1973. Legal service for both programs is provided by a full-time staff of four lawyers and three secretaries, and by private sector lawyers on a tariff basis.

Objectives

The objective of the Family Legal Aid Program is to provide legal aid coverage for the most urgent family situations and for other areas of law where the government is a party to a legal action against an individual. Included in this category are child welfare, adult protection and mental health cases involving involuntary hospitalization or treatment. These services are delivered primarily by staff lawyers. Private sector lawyers may be retained to provide services on a tariff basis where staff lawyers are unavailable due to case conflicts or workload.

Legal aid services for less urgent family situations where domestic violence or abuse is not an immediate concern are provided through the Law Foundation Program.

The Law Foundation Project

The Law Foundation Program is a special legal aid project that was started in 1996 (following the reduction in coverage under the Legal Aid Program). The Law Foundation is a statutory organization established under provincial legislation to administer interest revenues paid by financial institutions on certain types of trust accounts maintained by private law firms. The promotion of legal aid is one of the specified objectives of the foundation.

The Law Foundation allocates an annual sum of money for legal aid purposes. The fund is administered jointly by the foundation and the province through the Legal Aid Program. The legal services provided through the Law Foundation Program are delivered by private sector lawyers who are authorized on a case-by-case basis at legal aid tariff rates. The maximum assistance that may be authorized is 20 hours or $1,200 per case. The administrative and legal staff of the regular Legal Aid Program process the applications and accounts for the Law Foundation Program.

Although maintaining separate identities for two relatively small programs operating under the one umbrella is somewhat awkward, there are continuing policy reasons for the distinction. The distinguishing features of the Law Foundation Program are the strict funding limitation on cases, the limited operating budget, the private sector delivery system and the special

administrative arrangements. The annual grant from the Law Foundation for this program fluctuates with interest rates and the performance of the economy. The grant is currently in the range of $55,000. The province has also made temporary arrangements to supplement the funding of the program to prevent interruptions in legal services due to budgetary shortfalls within the year.

In the past year, 143 new applications were approved for funding under the Law Foundation Program compared with 165 for the previous year.

The Ross Report on Family Law Services

The province is continuing to work toward the implementation of the 1999 Report on Family Law Services by Norman Ross. The report recommends the enhancement and integration of existing family law services, including family legal aid and the establishment of a cohesive family justice centre.

The Charter of Rights

The *Charter of Rights* does not contain any specific reference to legal aid. However, the interpretation of the *Charter of Rights* by the courts does play a significant role in determining the minimum levels of legal aid coverage that must be provided by government. *Charter* rights to security of the person, and the right to a fair trial, may require the provision of legal counsel in cases where the government institutes legal action against an individual or family. The extent of free legal assistance that must be provided depends on the seriousness of each case and the potential consequences for an individual who is not represented. Family litigation by one parent or spouse against another is considered to be private legal action that does not engage *Charter* rights to counsel.

Legal Aid in Other Provinces

All the provinces and territories of Canada participate in an informal reciprocal legal aid agreement. Under this agreement, residents of Prince Edward Island may obtain a limited range of legal services anywhere in Canada. A condition of inter-provincial coverage for family and civil legal aid is that similar service must be available to non-residents in this province.

The same residency restrictions do not apply to criminal legal aid. Under the federal funding arrangements, services must be provided by provinces and territories to residents and non-residents alike.

Number of New Files Open

One hundred and two new family legal aid files and 143 Law Foundation files were opened in 2000-2001. The figures do not include telephone and office consultations where summary advice was provided without opening a new case file.

To relate the number of new files opened to the overall workload of the Legal Aid Program, it should be noted that many files require ongoing service to address new and changing circumstances beyond the year in which the file was opened. Consequently, the number of active files is always greater than the number of files opened for each year.

Program Statistics – Family Legal Aid	
Number of applications approved	
Family Legal Aid Program	102
Law Foundation Program	143
Regional Distribution of Service	
Charlottetown	
Family Legal Aid	80
Law Foundation	115
Summerside	
Family Legal Aid	22
Law Foundation	28
Gender of Applicants (both)	
Male	32.00%
Female	68.00%
Fees and Disbursements Paid to Private Counsel	
Family Legal Aid	$39,213
Law Foundation Program	$80,762
Total Criminal and Family Legal Aid Expenditures excluding Law Foundation Program	$655,210
Law Foundation Expenditures	85,762
Total Legal Aid Expenditures including Law Foundation Program	$735,972

Legislative Counsel Office

Mission Statement

The mission of the Legislative Counsel Office is to draft and coordinate the publication of all government bills and regulations for the Government of Prince Edward Island.

Main Activities

The Legislative Counsel Office is responsible for:

- reviewing proposals for new or amended legislation made by individual departments and identifying the need for consultation with other departments;
- advising government on the content and interpretation of bills, legislative procedures and the conduct of government business in the Legislative Assembly; and
- preparing all acts and regulations for publication.

There were 63 bills introduced during the Second Session of the 61st General Assembly (Fall 2001), with 59 given Royal Assent, two given First Reading and two were sent to Committee.

Legislative Counsel Office Organization

A/Chief Legislative Counsel	Cyndria L. Wedge
Legislative Counsel	Judith Haldemann
Legislative Editor	Aidrian Brunton
Administrative Support Worker	Jacqueline McKeeman

Objectives for 2001-2002

The statutes are now available on the government Web site and it is anticipated that the regulations will be online within the next year.

Policy and Administration Division

Director: Kevin Barnes

In April 2000, the Department of Community Services and Attorney General was divided into two separate departments. The Policy and Administration Division of the new Department of Community and Cultural Affairs maintained responsibility for the administrative functions of the Office of the Attorney General including financial services, human resource management, information technology and communications activities. For information please see the 2000-2001 Annual Report for the Department of Community and Cultural Affairs.

Schedules

Schedule 1

Acts Administered by the Office of the Attorney General

Affidavits Act
Age of Majority Act
Ancient Burial Grounds Act
Appeals Act
Apportionment Act
Arbitration Act
Auctioneers Act
Bailable Proceedings Act
Business Practices Act
Canada-United Kingdom Judgments Recognition Act
Canadian Judgments (Enforcement) Act
Cemeteries Act
Charities Act
Child Status Act
Co-operative Associations Act
Collection Agencies Act
Commorientes Act
Companies Act
Condominium Act
Consumer Protection Act
Consumer Reporting Act
Contributory Negligence Act
Controverted Elections (Provincial) Act
Coroners Act
Correctional Services Act
Court Security Act
Credit Unions Act
Crown Proceedings Act
Custody Jurisdiction and Enforcement Act
Defamation Act
Dependants of a Deceased Person Relief Act
Designation of Beneficiaries Under Benefit Plans Act
Direct Sellers Act
Electronic Commerce Act
Electronic Evidence Act
Escheats Act
Evidence Act
Factors Act
Family Law Act
Fatal Accidents Act
Films Act
Foreign Resident Corporations Act
Frauds on Creditors Act
Frustrated Contracts Act
Garage Keepers' Lien Act
Garnishee Act
Gulf Trust Corporation Act
Habeas Corpus Act
Human Rights Act
Insurance Act
Intercountry Adoption (Hague Convention) Act
International Commercial Arbitration Act
International Sale of Goods Act
International Trusts Act
Interpretation Act
Investigation of Titles Act
Judgment and Execution Act
Judicial Review Act
Jury Act
Landlord and Tenant Act
Legal Profession Act
Licensing Act
Limited Partnerships Act
Maintenance Enforcement Act
Mechanics' Lien Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Personal Property Security
Police Act
Powers of Attorney Act
Prearranged Funeral Services Act
Premium Tax Act
Private Investigators and Security Guards Act
Probate Act
Probation Act
Provincial Administrator of Estates Act
Provincial Court Act
Public Trustee Act
Quieting Titles Act
Real Estate Trading Act
Real Property Act
Reciprocal Enforcement of Judgments Act
Reciprocal Enforcement of Maintenance Orders Act
Retail Business Holidays Act
Sale of Goods Act
Securities Act
Sheriffs Act
Statute of Fraud
Statute of Limitations
Store Hours Act
Summary Proceedings Act
Supreme Court Act
Supreme Court Reporters Act
Survival of Actions Act
Time in Public Offices Act
Time Uniformity Act
Transboundary Pollution (Reciprocal Access) Act
Trespass to Property Act
Truck Operators' Remuneration Act
Trustee Act
Unclaimed Articles Act
Unconscionable Transactions Relief Act
Uniformity Commissioners Act
Variation of Trusts Act
Vendors and Purchasers Act
Victims of Crime Act
Victims of Family Violence Act
Volunteers Liability Act
Warehousemen's Lien Act
Winding-up Act
Young Offenders (P.E.I.) Act
Youth Employment Act

Schedule 2

Office of the Attorney General Organizational Chart